

REMARKS

Claims 1-48 are currently pending in the application. In response to the Restriction Requirement, dated September 1, 2004, requiring election of one of two Groups of claims, e.g., Group I, including claims 1-11 or Group II, including claims 12-48, Applicants elected Group I, namely, claims 1-11, without traverse.

In the present Office Action, the Examiner is further requiring election of one of the following five species: Embodiment 1 of FIGS. 1A-C; Embodiment 2 of FIG. 2; Embodiment 3 of FIG. 3; Embodiment 4 of FIG. 4; and Embodiment 5 of FIG. 5.

Applicants hereby respectfully elect Embodiment 5 of FIG. 5, without traverse.

The Examiner further required a listing of all claims readable on the elected species. Applicants respectfully submit that, arguably, all of the elected claims, i.e., claims 1-11, are readable on Embodiment 5. Namely, “[c]laims to be restricted to different species must be mutually exclusive. The general test as to when claims are restricted, respectively, to different species is the fact that one claim recites limitations which under the disclosure are found in a first species but not in a second, while a second claim recites limitations disclosed only for the second species and not the first.” M.P.E.P. §806.04(f).

None of claims 1-11 recite characteristics that are mutually exclusive of one another, and thus, by virtue of the above test, are not restrictable to different species. Therefore, as stated above, Applicants submit that claims 1-11 are readable on Embodiment 5.

Further, Applicants point out that once a generic claim is allowed, “all of the claims drawn to species in addition to the elected species which include all the limitations of the generic claim will . . . be . . . allowable in view of the allowance of the generic claim.” See M.P.E.P. §806.04(d).

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,



Date: January 28, 2005

Michael J. Chang
Attorney for Applicant(s)
Reg. No. 46,611
Ryan, Mason & Lewis, LLP
1300 Post Road, Suite 205
Fairfield, CT 06430
(203) 255-6560